

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Hon. James B. Clark, III
v. : Mag. No. 22-12168
DEVON BURT : ORDER FOR CONTINUANCE

1. This matter came before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (Katherine M. Romano, Assistant U.S. Attorney, appearing), and defendant Devon Burt (Robert J. DeGroot, Esq., appearing), for an order granting a continuance under 18 U.S.C. § 3161(h)(7)(A).

2. This Court granted five § 3161(h)(7)(A) continuances previously in this case.

3. Counsel for the parties represented that this additional continuance is necessary for effective preparation and to permit the parties to attempt to resolve this case prior to indictment and thereby avoid a trial.

4. Counsel for the United States also represented that this additional continuance is necessary to prevent any more non-excludable days under § 3161(h) from expiring.

5. The defendant knows that he has the right under § 3161(b) to have this matter submitted to a grand jury within thirty days after his arrest.

6. The defendant, through counsel, has consented to this continuance.

7. FOR GOOD CAUSE, THIS COURT FINDS that this case should be continued for the following reasons:

a. The parties have executed a plea agreement in this case and the plea hearing is scheduled June 22, 2023. An Information has not yet been filed.

Entry of the plea will render grand jury proceedings and a trial in this matter unnecessary.

b. Both the United States and the defendant desire that the time in advance of the plea hearing be excluded to permit the parties sufficient time to prepare for the hearing.

c. Consequently, the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore:

ORDERED that this action is continued for a period of approximately 22 days from June 1, 2023 to June 22, 2023; and it is further

ORDERED that those days are excluded in computing time under the Speedy Trial Act of 1974; and it is further

ORDERED that nothing in this Order or the application prompting it is a finding or representation that less than 31 non-excludable days under § 3161(h) have expired.

s/James B. Clark, III
HON. JAMES B. CLARK III
United States Magistrate Judge

Dated: May 30th, 2023

Form and entry consented to:

Robert J. DeGroot, Esq.
Counsel for Defendant Devon Burt

Katherine M. Romano

Katherine M. Romano
Assistant U.S. Attorney

s/ Jason S. Gould

Jason S. Gould
Chief, Health Care Fraud Unit